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19 November 1991
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Forty-sixth session
Agenda item 46
CONSEQUENCES OF THE IRAQI OCCUPATION
OF AND AGGRESSION AGAINST KUWAIT

Letter dated 15 November 1991 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to transmit the text, in English and French, of a statement of the European Community and its member States on the situation in Iraq, issued on 15 November 1991 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly under agenda item 46.

(Signed) Robert J. VAN SCHAIK
Ambassador
Permanent Representative

ANNEX

Statement on the situation in Iraq, issued by the European Community and its member States on 15 November 1991

The Community and its member States remain deeply concerned about the situation in Iraq and about reports of the continued repression of its civilian population by Iraqi government troops.

The situation in Northern Iraq has been worsened by continued military action and the imposition of a blockade by the Iraqi authorities on the area. The Community and its member States have noted the reported agreement between the Iraqi authorities and the Kurds on the lifting of these measures. They expect the Iraqi authorities to respect their undertakings and demand an end to Iraqi attempts to disrupt economic life in the North. They are disturbed by reports of continued military action and other repressive measures against the Shia communities in Southern Iraq. These actions must cease.

The Community and its member States reiterate their appeal to the Iraqi authorities to comply fully with the provisions of Security Council resolution 688, which demand an end to the repression of the Iraqi civilian population throughout the country, and insist that Iraq support and cooperate with the humanitarian relief efforts of the United Nations. In this context, they once more underline the importance they attach to full respect of the human and political rights of all Iraqi citizens.

The Iraqi regime carries the responsibility for the deterioration of the humanitarian situation in Iraq. In this respect, the Community and its member States stress the need for an early and effective implementation of United Nations Security Council resolutions 706 and 712, which would contribute to improving the living conditions of the civilian population concerned.

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Forty-sixth session
Agenda items 19 and 98
IMPLEMENTATION OF THE DECLARATION ON
THE GRANTING OF INDEPENDENCE TO
COLONIAL COUNTRIES AND PEOPLES
HUMAN RIGHTS QUESTIONS

Letter dated 15 November 1991 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to transmit the text, in English and French, of a Declaration of the European Community and its member States on East Timor, issued on 13 November 1991 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly under agenda items 19 and 98.

(Signed) Robert J. VAN SCHAIK
Ambassador
Permanent Representative

ANNEX

Declaration on East Timor, issued by the European Community and its member States on 13 November 1991

The European Community and its member States are gravely concerned at reports that on 12 November members of the Indonesian armed forces in Dili opened fire on a group of demonstrators, killing and wounding a considerable number.

The European Community and its member States vehemently condemn such violence, which is in clear contravention of the most fundamental human rights.

The European Community and its member States will obtain further information about the circumstances surrounding this incident at the earliest possible opportunity, if possible from independent sources.

The European Community and its member States urge the Indonesian Government to ensure that members of the Indonesian armed forces and police in East Timor refrain immediately from using violence and that the members of the armed forces and police who were responsible for the tragic outcome of this incident are brought to trial.

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Agenda item 124

UNITED NATIONS PROGRAMME OF ASSISTANCE IN THE TEACHING, STUDY, DISSEMINATION AND WIDER APPRECIATION OF INTERNATIONAL LAW

Report of the Sixth Committee

Rapporteur: Mr. Aliosha I. NEDELCHEV (Bulgaria)

I. INTRODUCTION

1. The item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law" was included in the provisional agenda of the forty-sixth session of the General Assembly pursuant to Assembly resolution 44/28 of 4 December 1989.

2. At its 3rd plenary meeting, on 20 September 1991, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. For its consideration of the item, the Sixth Committee had before it the report of the Secretary-General (A/46/610 and Corr.1), which was introduced by the Legal Counsel at the 39th meeting on 18 November (see A/C.6/46/SR.39). That report contained cross-references to section II.D of the report of the Secretary-General on the United Nations Decade of International Law (A/46/372).

4. The Sixth Committee considered the item at its 39th, 40th and 44th meetings, held on 18, 19 and 26 November 1991. The summary records of these meetings (A/C.6/46/SR.39, 40 and 44) contain the views expressed by the representatives who made statements during the consideration of the question.

II. CONSIDERATION OF PROPOSALS

5. At the 44th meeting, on 26 November, the representative of Ghana introduced a draft resolution (A/C.6/46/L.17), sponsored by Ghana and later joined by Bangladesh, Botswana, Cameroon, Colombia, Cuba, Cyprus, Ethiopia,

India, Iran (Islamic Republic of), Kenya, Malaysia, Mexico, Mongolia, Namibia, Romania, the Sudan, Trinidad and Tobago, Turkey, Uganda, Ukraine, the United Republic of Tanzania and Uruguay.

6. At the same meeting, the representative of Ghana orally amended the draft resolution so as to reflect, in paragraph 18 thereof, the composition of the Advisory Committee, which he announced on the basis of communications from the regional groups (see para. 8 below).

7. Also at the same meeting, the Sixth Committee adopted draft resolution A/C.6/46/L.17, as orally amended, without a vote (see para. 8).

III. RECOMMENDATION OF THE SIXTH COMMITTEE

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Recalling paragraph 13 of its resolution 44/28 of 4 December 1989 and paragraph 1 of chapter IV of the annex to its resolution 45/40 of 28 November 1990,

Taking note with appreciation of the report of the Secretary-General on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law 1/ and the guidelines and recommendations on future implementation of the Programme within the framework of the United Nations Decade of International Law, which were adopted by the Advisory Committee and are contained in that report,

Bearing in mind that the encouragement of the teaching, study, dissemination and wider appreciation of international law is one of the main objectives of the United Nations Decade of International Law, as declared in its resolution 44/23 of 17 November 1989 and further expanded in the annex to its resolution 45/40, chapter IV of the Programme of activities for the first term (1990-1992) of the Decade,

Considering that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

Noting with appreciation the efforts made by States at the bilateral level to provide assistance in the teaching and study of international law,

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1/ A/46/610 and Corr.1.

Convinced, nevertheless, that States and international organizations and institutions should be encouraged to give further support to the Programme and increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

Reaffirming its resolutions 2464 (XXIII) of 20 December 1968, 2550 (XXIV) of 12 December 1969, 2838 (XXVI) of 18 December 1971, 3106 (XXVIII) of 12 December 1973, 3502 (XXX) of 15 December 1975, 32/146 of 16 December 1977, 36/108 of 10 December 1981, 38/129 of 19 December 1983, in which it stated or recalled that in the conduct of the Programme it was desirable to use as far as possible the resources and facilities made available by Member States, international organizations and others, as well as its resolutions 34/144 of 17 December 1979, 40/66 of 11 December 1985, 42/148 of 7 December 1987 and 44/28 of 4 December 1989 in which, in addition, it expressed or reaffirmed the hope that, in appointing lecturers for the seminars to be held within the framework of the Fellowship Programme in international law, sponsored jointly by the United Nations and the United Nations Institute for Training and Research, account would be taken of the need to secure representation of major legal systems and balance among various geographical regions,

1. Approves the guidelines and recommendations contained in section III of the report of the Secretary-General, and adopted by the Advisory Committee on the Programme, in particular those designed to achieve the best possible results in the administration of the Programme within a policy of maximum financial restraint;

2. Authorizes the Secretary-General to carry out in 1992 and 1993 the activities specified in his report, including the provision of:

(a) A minimum of fifteen fellowships each in 1992 and 1993, at the requests of Governments of developing countries;

(b) A minimum of one scholarship each in 1992 and 1993 under the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, subject to the availability of new voluntary contributions made specifically to the fellowship fund;

(c) Assistance in the form of a travel grant for one participant from each developing country, who will be invited to the regional courses to be organized in 1992 and 1993;

and to finance the above activities from provisions in the regular budget, when appropriate, as well as from voluntary financial contributions earmarked for each of the activities concerned, which would be received as a result of the requests set out in operative paragraphs 14, 15 and 16 below;

3. Expresses its appreciation to the Secretary-General for his constructive efforts to promote training and assistance in international law within the framework of the Programme in 1990 and 1991, in particular for the

organization of the twenty-sixth 2/ and twenty-seventh 3/ sessions of the International Law Seminar, held at Geneva from 5 to 22 June 1990 and 3 to 21 June 1991, respectively, and for the participation of the Office of Legal Affairs of the Secretariat and its Codification Division in the conduct of the Fellowship Programme in international law sponsored jointly by the United Nations and the United Nations Institute for Training and Research, as well as for the activities related to the award of the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea;

4. Requests the Secretary-General to consider the relative advantages of using available resources and voluntary contributions on regional, subregional or national courses as against courses organized within the United Nations system;

5. Welcomes in particular the joint efforts described in the report of the Secretary-General, and undertaken by the Codification Division of the Office of Legal Affairs and its secretariat of the Programme of Assistance as well as by the International Court of Justice to publish in a single volume in all official languages of the Organization, and within the existing overall level of appropriations, the summaries of the Judgments and advisory opinions of the International Court of Justice (1949-1990) as provided by the Court's Registry, and to update this publication in subsequent years;

6. Invites interested States to consider the option of financing the translation and publication of the Judgments of the International Court of Justice;

7. Also welcomes the efforts undertaken by the Office of Legal Affairs of the Secretariat to bring up to date the Treaty Series and the United Nations Juridical Yearbook;

8. Expresses its appreciation to the United Nations Institute for Training and Research for its participation in the Programme, particularly for its efforts in the organization of regional courses and in the administration of the Fellowship Programme in international law jointly sponsored and conducted by the United Nations and the Institute;

9. Expresses its appreciation to the United Nations Educational, Scientific and Cultural Organization for its participation in the Programme, and in particular for the publication of the volume International Law: Achievements and Prospects, which constitutes an important effort to support the teaching, study, dissemination and wider appreciation of international

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2/ See Official Records of the General Assembly, Forty-fifth Session, Supplement No. 10 (A/45/10), chap. VIII, sect. E.

3/ Ibid., Forty-sixth Session, Supplement No. 10 (A/46/10), chap. VIII, sect. F.

law, and notes the possibility reflected in the Secretary-General's report that any request to translate and publish this work in Spanish or any other language would have greater chances of being favourably examined were it to be made on a regional basis;

10. Also expresses its appreciation to the Government of Namibia for its willingness to co-sponsor the regional training and refresher course of the United Nations Institute for Training and Research for southern African countries, held at Windhoek from 12 to 22 February 1991;

11. Further expresses its appreciation to the Hague Academy of International Law for the valuable contributions it has made to the Programme by enabling international law fellows under the sponsorship of the United Nations and the United Nations Institute for Training and Research to attend its annual international law courses and by providing facilities for seminars organized under the Fellowship Programme in international law in conjunction with the Academy courses;

12. Notes with appreciation the contributions made by the Hague Academy of International Law to the teaching, study, dissemination and wider appreciation of international law, and calls upon Member States and interested organizations to give favourable consideration to the appeal of the Academy for a continuation of, and, if possible an increase in their financial contributions in order to enable the Academy to carry on with the above-mentioned activities, in particular the summer courses, regional courses and programmes of the centre for studies and research in international law;

13. Urges all States, and relevant international organizations, whether regional or universal, to make all possible efforts to implement the goals and carry out the activities contemplated in chapter IV of the Programme for the first term (1990-1992) of the United Nations Decade of International Law, dealing with the encouragement of the teaching, study, dissemination and wider appreciation of international law and contained in the annex to its resolution 45/40 of 28 November 1990;

14. Requests the Secretary-General to continue to publicize the Programme and periodically to invite Member States, universities, philanthropic foundations and other interested national and international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the Programme or otherwise to assist in its implementation and possible expansion;

15. Reiterates its request to Member States and to interested organizations and individuals to make voluntary contributions, inter alia, for the International Law Seminar, for the fellowship programme in international law sponsored jointly by the United Nations and the United Nations Institute for Training and Research and for the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, and expresses its appreciation to those Member States, institutions and individuals which have made voluntary contributions for this purpose;

16. Urges in particular all Governments to make voluntary contributions with a view to covering the amount needed for the financing of the daily subsistence allowance for up to twenty-five participants in each regional course organized by the United Nations Institute for Training and Research, thus alleviating the burden on prospective host countries and making it possible for the Institute to continue to organize the regional courses;

17. Requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the Programme during 1992 and 1993 and, following consultations with the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, to submit recommendations regarding the execution of the Programme in subsequent years;

18. Decides to appoint twenty-five Member States, according to the following distribution: six from Africa; five from Asia; three from Eastern Europe; five from Latin America and the Caribbean; and six from Western Europe and other States, as members of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, for a period of four years beginning on 1 January 1992. The States members of the Advisory Committee are the following: Bangladesh, Colombia, Cuba, Cyprus, Ethiopia, France, Germany, Ghana, India, the Islamic Republic of Iran, Italy, Kenya, Malaysia, Mexico, the Netherlands, Nigeria, Romania, the Sudan, Trinidad and Tobago, Ukraine, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America and Uruguay;

19. Decides to include in the provisional agenda of its forty-eighth session the item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".